**8th October 2021**

**Police and Crime Commissioner for Dyfed-Powys response to**

**A duty to protect: Police use of protective measures in cases involving violence against women and girls**

I welcome the external scrutiny provided by HMICFRS, The College of Policing and the Independent Office for Police Conduct and am pleased to see recommendations to ensure better protection of women and girls.

Violence Against Women, Domestic Abuse and Sexual Violence remains a priority for Dyfed Powys as governed by my existing Police and Crime Plan, the Force Control Strategy and Chief Constable’s priorities. I can confirm that it will also feature strongly in my new Police and Crime Plan, soon to be published.

This scrutiny is timely and aligns with wider ongoing work concerning the provision of services to victims. It is vital that both the force and funded providers are delivering the best possible service to protect and support domestic abuse victims and their families.

Temporary Chief Constable Parmenter has provided me with a detailed response of the Force’s actions against each of the recommendations, including progress made since the interim report was published. I have summarised the position against each of these below:

***Chief constables should implement processes for managing RUI in line with the letter from the NPCC Lead for Bail Management Portfolio. This is to ensure, as far as is possible, that investigations are conducted efficiently and effectively, thereby supporting both victims of crime and un-convicted suspects.***

I am pleased to update that the force’s previous area for improvement regarding RUI was signed off by HMICFRS in July 2021 based on improvements made to information technology functionality and scrutiny.

This included

* the development of a bail/RUI dashboard providing supervisors with detailed, up to date information regarding suspects currently subject to bail or RUI. The dashboard enables managers to scrutinise individual records and ensure decisions are made in line with legislation and with due regard to safeguarding considerations.
* A new e-form process, which mandates the completion of a new risk assessment to manage the transition from bail to RUI. This includes all decisions to RUI suspects under investigation for a RAID[[1]](#footnote-1) offence. This approach ensures appropriate oversight and accountability for RUI decisions including those with heightened vulnerability and offending levels.
* Changes to the custody system to prevent suspects being RUI’d without authorisation from an Inspector.
* Daily scrutiny by the Senior Leadership Team of suspects subject to bail via the Daily Management Briefing system.

***Chief constables should ensure data is gathered on the use of voluntary attendance to enable the identification of patterns of its use, particularly in relation to the types of cases, so that voluntary attendance is only used in those cases where it would be an appropriate case management tactic***

Voluntary Attendee Interviews are intrusively monitored by Inspectors and Chief Inspectors during Daily Management Meetings. The briefing system includes appropriate information to prevent perpetrators of alleged domestic violence and breach of court orders from being subject to a voluntary interview.

In cases of sexual offences, child abuse or indecent images of children, the advice of a Detective Supervisor is required prior to the arrangement of any voluntary attendance to ensure the investigative strategy is met and appropriate suicide strategies considered.

Interviews by way of voluntary attendance are recorded on the custody system. The interviewing officer must provide details of the supervisor approving the decision for voluntary interview; failure to provide this information will prevent the officer progressing to interview stage.

***Chief constables should introduce processes to ensure that in all pre-charge bail cases where bail lapses, the investigator in charge of the case carries out an assessment of the need for pre bail-charge to continue. In those cases where the suspect has not been charged, the decision to extend or terminate bail should be recorded with a rationale.***

The force has a designated process in place to manage bail. An Inspector rank is required to review suspects who have previously been on bail. If termination of bail is requested and the suspect is to be released under investigation, the reviewing officer must undertake a risk assessment and provide documented rationale for the decision on the custody record.

Where bail is required beyond the current date, authorisation is requested in accordance with legislation and guidance. The time period since first implementation of bail dictates the rank of the reviewing officer. At three month point it is necessary to apply for authorisation to be granted at the Magistrates Court.

***Chief constables should review and if necessary refresh their policy on how the force processes notifications of NMOs, so officers can easily identify if an NMO exists.***

Non Molestation Orders are received by the force legal services department when notified (served) by the applicant’s legal representative. They are received via a legal gateway. Upon receipt, legal services share with the force PNC bureau for creation of a PNC record relating to the NMO.

***Chief constables should, until DAPOs replace DVPNs and DVPOs in their force:***

***a. review, and if necessary refresh their policy on DVPNs and DVPOs, and in line with the overarching recommendation:***

***i. ensure that there is clear governance and communication to prioritise the effective use of DVPNs and DVPOs, when these are the most appropriate tools to use;***

***ii. monitor their use to ensure they are being used effectively; and***

***b. ensure experience and lessons learned on using DVPN/DVPOs informs the use of DAPOs.***

Clear guidance to officers on the application process is available 24/7 via the force intranet page.

Domestic Abuse crimes and the requirement for DVPO’s are reviewed as part of the daily management process. DA cases are subject to review by a Domestic Abuse Officer who provides further support and guidance to frontline officers.

The investigative support units in Carmarthenshire and Pembrokeshire divisions embed DVPO’s within their daily practice. As part of the implementation of the End to End project in November 2021, this will be replicated across each of the four BCU’s. I will be seeking ongoing assurance of the delivery of key outputs relating to the implementation of the End to End approach.

In the 12 months to 31st March 2021, the force applied for 66 DVPOs. This equates to 1.25 applications per 100 domestic abuse crimes, which is higher than the England and Wales rate of 0.98. This was commented upon favourably by the Inspectors during Dyfed Powys’ recent Peel Inspection.

A task and finish group has been formulated to lead the change programme aligned to the new DA Bill; DAPO process will form part of this work.

***Chief Constables should assure themselves that:***

***a. their officers are fully supported in carrying out their duties to protect all vulnerable domestic abuse victims by:***

***i. ensuring their officers understand the suite of protective measures available (including new measures such as DAPOs);***

***ii. ensuring officers are aware of referral pathways to third-party support organisations which are available to protect vulnerable domestic abuse victims; and***

***iii. ensuring their officers have guidance and support on how to choose the most appropriate response for the situation; and***

***b. governance is in place to monitor the use of all protection orders and to evaluate their effectiveness, including by seeking the views of victims***

The force has a dedicated domestic violence page on the intranet, containing all appropriate and up to date information. Operational documents such as DASH guidance are available on officers’ mobile data devices for ease of access. In addition, the force has 86 domestic abuse champion frontline officers providing enhanced peer to peer advice and support to other frontline colleagues.

As PCC, I commission a series of support services ensuring that all victims, regardless of risk level, have access to support. Guidance on these is included in the force domestic abuse policy and is well embedded in the force.

Orders are monitored through divisional tasking and briefing processes. A review of the management and monitoring of orders will form part of the work in preparation for the new Domestic Abuse bill.

***Chief constables should consider what legal support they need to use protective measures and secure this support***

The force’s Legal Services department are integral to the application of a range of protective measures. They provide on-call coverage, guidance and support to officers. They also maintain records of applications sought and those granted. Where necessary they provide feedback to portfolio leads and partake in training events to improve knowledge amongst staff.

I trust that the above provides reassurance regarding the current position of Dyfed Powys Police in relation to the recommendations, along with a commitment to ongoing action to further address the concerns.

I will of course be seeking ongoing progress updates from Chief Constable Parmenter and her senior management team to enable me to fulfil my ongoing scrutiny of this area of work in Dyfed Powys.

1. rape, aggravated offences, IOM nominal and domestic offences [↑](#footnote-ref-1)